We’re Not In Kansas Anymore

One man’s battle against HIV laws

December 1, 2006 By Kellee Terrell

Criminal prosecutions of HIV positive people for exposing others to the virus keep occuring. But last summer, one Kansas man fought the law. Four women alleged that Robert W. Richardson II, 30, had sex with them without using a condom or disclosing his HIV positive status. Before his trial, Richardson challenged Kansas’ transmission law, calling it vague and therefore unjust.The judge dismissed the challenge, and, although the women tested negative, in October, Richardson was convicted of four felony counts of “exposing a person to a life-threatening communicable disease.” He now faces multiple years in prison.

Kansas’ law, like that of many states, criminalizes sex if there’s intent to expose someone to HIV—but “intent” isn’t defined. Richardson’s attorney, Thomas Johnson, says, “It doesn’t say disclosure or condoms are mandatory. The state could argue that him having any sex is intent.” Carol Galletly, of the Center for AIDS Intervention Research, contends that laws shouldn’t emphasize disclosure over both parties’ responsibility to use condoms, saying, “The laws are stigmatizing and—perhaps hostile—toward people with HIV.”

© 2026 Smart + Strong All Rights Reserved.
http://beta.docker.poz.com/article/We-8217-re-Not-In-Kansas-Anymore-10872-3732